

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WARREN SMITH,)	
Petitioner)	
)	
v.)	CIVIL ACTION NO. 04-
)	
FREDERICK MACDONALD,)	04 - 30205 - MAF
Respondent)	

ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS

October 14, 2003

PONSOR, U.S.D.J.

The court has received a letter from Warren Smith dated September 14, 2004 requesting assistance in connection with Mr. Smith's pending immigration status. The court will deem the letter a pro se Petition for Writ of Habeas Corpus and take the following action:

1. The clerk is ordered, upon a provisional determination that the petitioner is indigent, to file and open this case as a Petition for Writ of Habeas Corpus, giving it an appropriate docket number.
2. The marshal is ordered to serve a copy of this order and the petitioner's letter of September 14, 2004 (constituting the Petition for Writ of Habeas Corpus) upon the respondent, Sheriff Frederick MacDonald, the Immigration and Naturalization Service, and Assistant United States Attorney Karen Goodwin, who has frequently handled these sorts of cases on behalf of the local U.S. Attorney's office.
3. The petitioner's letter is also deemed to be a Motion for Appointment of Counsel. The motion is hereby referred to Magistrate Judge Kenneth P. Neiman for appointment of counsel.

4. Once counsel is appointed and enters his or her appearance on behalf of the petitioner, and once counsel for the respondent appears, the matter will be set for a scheduling conference to take place before Magistrate Judge Neiman.

5. The Immigration and Naturalization Service is hereby ordered to refrain from deporting Mr. Smith to Jamaica pending further order of this court.

It is So Ordered.

A handwritten signature in black ink, reading "Michael A. Ponsor". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

MICHAEL A. PONSOR

U. S. District Judge